

REMARKS

This amendment is responsive to the final Office Action dated March 27, 2003. Claims 1-3, 5-11, 13-19, 21-24, 27, 33 and 34 are pending in the present application. Claims 1-3, 5-6, 9-11, 13-14, 27, and 33 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Koope (U.S. Patent No. 5,690,402). Claims 9-11, 13-19, 21-24, and 34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nunn (U.S. Patent No. 5,048,900). Claims 7-8 and 15-16 stand rejected under 35 U.S.C. § 103(a) over Koope in view of Nunn. Claims 1-3, 9-11, 17-19, 27, 33, and 34 have been amended solely to clarify the claimed invention. No new claims have been added; and no claims have been deleted. Applicant respectfully requests reconsideration of the rejected claims. Applicant respectfully contends that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art.

1. Claims Rejections - 35 U.S.C. §102(b) – Claims 1-3, 5-6, 9-11, 13-14, 27, and 33

Claims 1-3, 5-6, 9-11, 13-14, 27, and 33 are pending in the present application and were rejected in the final Office Action dated March 27, 2003 under 35 U.S.C. § 102(b) as being anticipated by Koope. Applicant respectfully traverses this rejection. However, in an effort to provide clarification only, independent claims 1-3, 9-11, 27, and 33 have been amended. Claims 5-6 depend from independent claim 1, and claims 13-14 depend from independent claim 9. For brevity, only the basis for the rejection of independent claims 1 and 9 are traversed

in detail on the understanding that dependent claims 5-6 and 13-14 are also patentably distinct over the prior art as they depend directly from claims 1 or 9, respectively. Nevertheless, dependent claims 5-6 and 13-14 include additional features that, in combination with those of claims 1 or 9, provide further, separate, and independent bases for patentability.

In the Applicant's response to the first Office Action, Applicant attempted to clarify that the claimed invention is not simply directed towards "a box with a door," but rather is directed towards a gaming machine that includes a top box with a substantially non-rectangular door. The Examiner replied in the final Office Action that the structural aspects of a gaming machine were not positively stated sufficiently enough to define over a mere "box with a door" as used for any desired purpose. Accordingly, Applicant has attempted to comply with the Examiner's concerns and more positively state the structural aspects of the claimed invention to recite a "gaming machine having a top box with a substantially non-rectangular door."

As such, the Koope patent does not disclose "a gaming machine having a top box with a substantially non-rectangular door" as required by the claimed invention of the present application. Indeed, the Koope patent is not directed towards gaming machines at all, but rather is merely directed towards a display case that displays "small, expensive, or injurious items" (e.g., knives, as shown in Figs. 1 and 2) "for the convenient viewing of the purchasing public, yet secures the items from mishandling or theft while providing a convenient method to maintain storage of the displayed items for quick and easy retrieval." Col. 1, lines 12-24.

Thus, the Koope patent relates to completely different and non-analogous art than that of the claimed invention, and is directed towards solving a completely different problem than that

of the claimed invention. The claimed invention of the present application solves problems in the gaming machine top box market. Specifically, one of these problems is that the glass in a top box panel is often broken during the cumbersome process of removing the glass panel from the top box to service or otherwise access the interior of the top box. By being able to access the interior of the top box without the need to remove the glass panel, breakage of such glass panel is minimized. Further, by using a door that is substantially non-rectangular, different shapes of glass may be used. This resolves a significant and costly issue in the gaming industry. As such, the knife display case of the Koope patent does not teach or suggest a gaming machine having a top box with a door, as claimed in the present application. Accordingly, Applicant respectfully submits that the 35 U.S.C. §102(b) rejection of claims 1-3, 5-6, 9-11, 13-14, 27, and 33 has been overcome.

2. Claims Rejections - 35 U.S.C. §102(b) – Claims 9-11, 13-19, 21-24, and 34

Claims 9-11, 13-19, 21-24, and 34 are pending in the present application and were rejected in the Office Action dated March 27, 2003, under 35 U.S.C. § 102(b) as being anticipated by Nunn. Applicant respectfully traverses this rejection. However, in an effort to provide clarification only, independent claims 9-11, 17-19, and 34 have been amended. Claims 13-16 depend from independent claim 9, and claims 21-24 depend from independent claim 17. For brevity, only the basis for the rejection of independent claims 9-11, 17-19, and 34 are traversed in detail on the understanding that dependent claims 13-16 and 21-24 are also patentably distinct over the prior art as they depend directly from claims 9 or 17, respectively.

Nevertheless, dependent claims 13-16 and 21-24 include additional features that, in combination with those of claims 9 or 17, provide further, separate, and independent bases for patentability.

As explained above in Section 1, in the Applicant's response to the first Office Action, Applicant attempted to clarify that the claimed invention is not simply directed towards "a box with a door," but rather is directed towards a gaming machine that includes a top box with a substantially non-rectangular door. The Examiner replied in the final Office Action that the structural aspects of a gaming machine were not positively stated sufficiently enough to define over a mere "box with a door" as used for any desired purpose. Accordingly, Applicant has attempted to comply with the Examiner's concerns and more positively state the structural aspects of the claimed invention to recite a "gaming machine having a top box with a substantially non-rectangular door."

As such, the Nunn patent does not disclose, "a gaming machine having a top box with a substantially non-rectangular door" as required by the claimed invention of the present application. Indeed, the Nunn patent, which is entitled, "Grinder Plates and Knives Storage Cabinet," is not directed towards gaming machines at all, but rather is merely directed towards a "storage cabinet for grinder plates and knives ... to be used in a butcher shop." See Abstract.

Thus, the Nunn patent relates to completely different and non-analogous art than that of the claimed invention, and is directed towards solving a completely different problem than that of the claimed invention. The claimed invention of the present application solves problems in the gaming machine top box market. Specifically, one of these problems is that the glass in a top box panel is often broken during the cumbersome process of removing the glass panel from the

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top box to service or otherwise access the inside of the top box. By being able to access the interior of the top box without the need to remove the glass panel, breakage of such glass panel is minimized. Further, by using a door that is substantially non-rectangular, different shapes of glass may be used. This resolves a significant and costly issue in the gaming industry. As such, the grinder plates and knives storage cabinet of the Nunn patent does not teach or suggest the gaming machine having a top box with a door, as claimed in the present application. Accordingly, Applicant respectfully submits that the 35 U.S.C. §102(b) rejection of claims 9-11, 13-19, 21-24, and 34 has been overcome.

3. Drawings Correction

The Examiner noted in the final Office Action that all claimed elements of an invention should be illustrated in the drawings with solid lines. In response, Applicant has changed the lines of the gaming machine in FIGURES 1 and 2 from phantom to solid. Support for the gaming machine can be found at: Page 2, line 22 to Page 3, line 2; and Page 2, lines 13-20. No new matter has been added. A copy of the corrected drawings has also been sent to the official draftsman under separate cover.

CLOSURE

Applicant has made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. In view of the foregoing discussions, it is clear that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art. Therefore, reconsideration and

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allowance of all of Applicant's claims 1-3, 5-11, 13-19, 21-24, 27, 33 and 34 is believed to be in order, and an early Notice of Allowance to this effect is respectfully requested. If the Examiner should have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8319. The undersigned attorney can normally be reached Monday through Friday from about 9:30 AM to 5:30 PM Pacific Time.

Respectfully submitted,

Dated: 6/2/03

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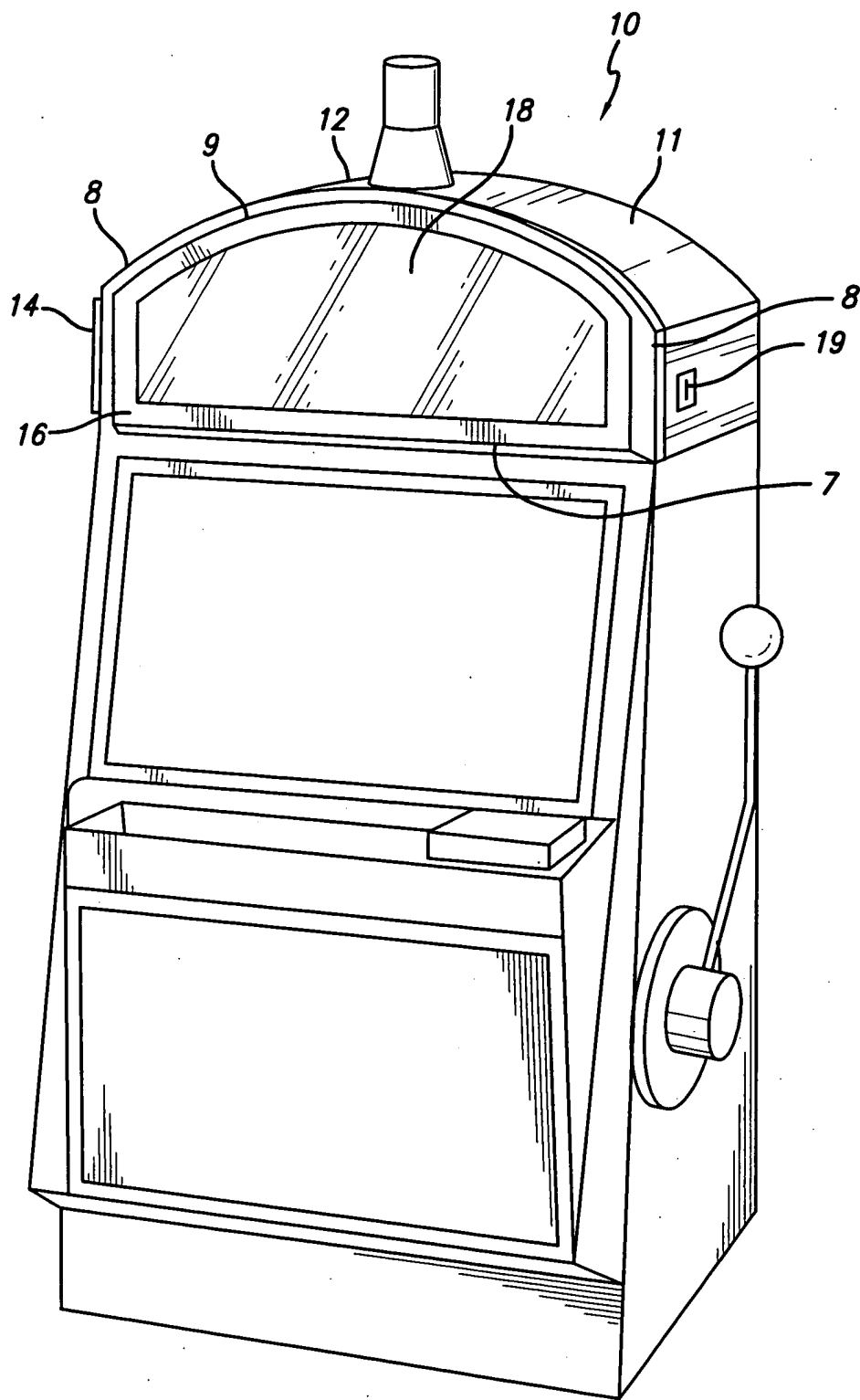


FIG. 1

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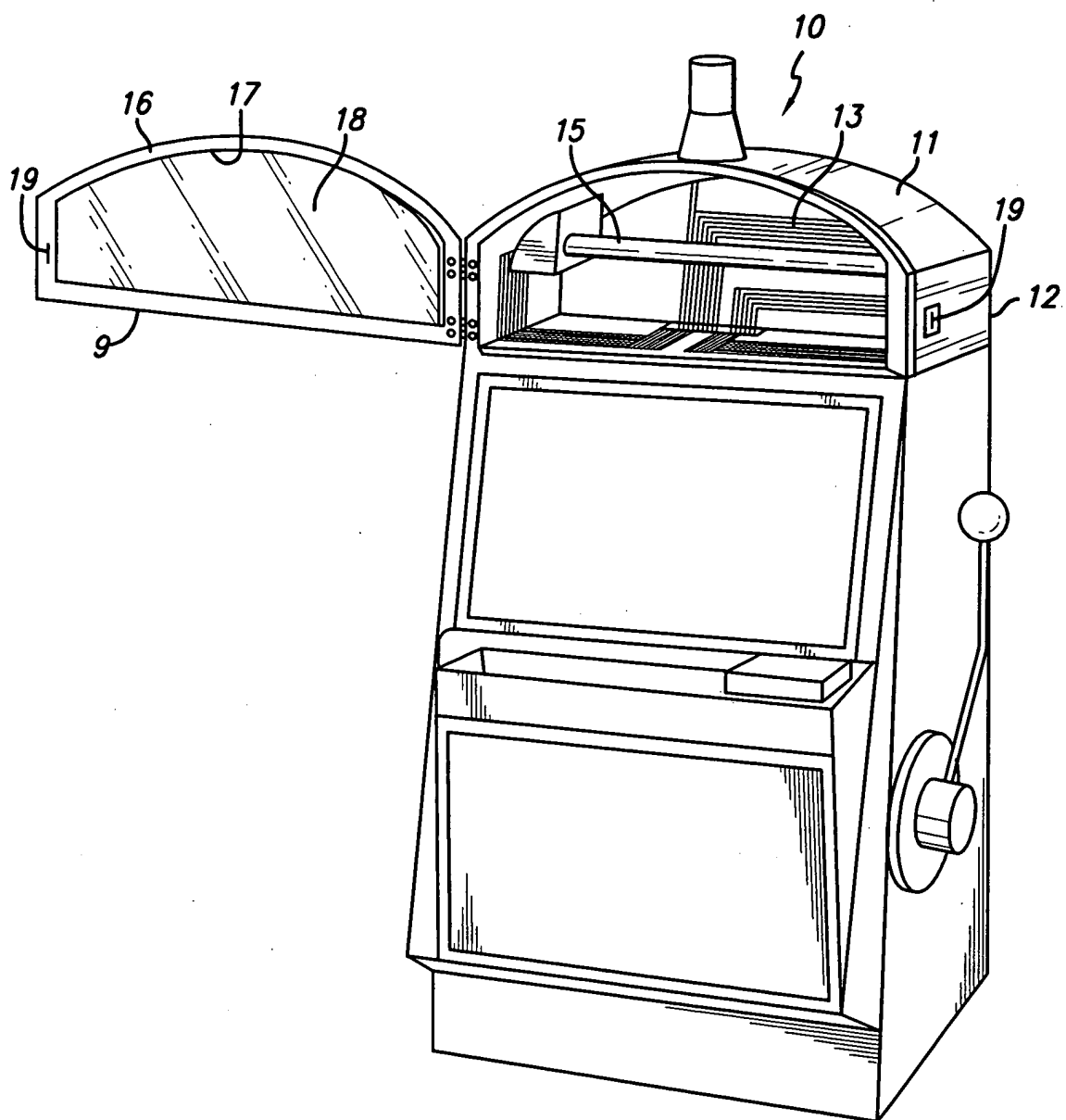


FIG. 2

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